

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES S. LONGSHORE,

**Plaintiffs,**

V.

SCOTT RUSSELL, SGT. QUENGA,  
SGT. MCKANNEY, SGT. ROBERTS,  
C/O TROTTER, and STEVEN  
DEMARS,

### Defendants.

No. C11-5278 RBL/KLS

## **ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER**:

- 1) The Court adopts the Report and Recommendation.
  - 2) Defendants' Motion to Dismiss (ECF No. 41) is **GRANTED**; Plaintiff's claims are **Dismissed without Prejudice for failure to exhaust, except as to claims against Defendant Trotter.**
  - 3) This matter shall be **re-referred** to the undersigned.
  - 4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendant and to the Hon. Karen L. Strombom.

**DATED** this 20<sup>th</sup> day of March, 2011.

POB fifty

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**RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE**